

## **REMARKS/ARGUMENTS**

In response to the Examiner's Office Action of February 14, 2008 issued in relation to the present Patent Application, the Applicants submit Amendments to the specification and claims, as well as the below Remarks.

Claims 1-4, 8, 11, 14, 15, 17, 20, 27-29, 32-36, 41, and 47 are presented for examination. Claims 1, 27 and 47 are independent claims.

### ***Regarding Amendments***

The specification has been amended to correct typographical errors. The Amendments do not add any new matter to the present application.

Claims 1-4, 8, 11, 14, 15, 17, 20, 27-28, 34-36, 41, and 47 have been amended to more clearly define the invention. Claims 5-7, 9, 10, 12, 13, 16, 18, 19, 21-26, 30, 31, 37-40, 42-46, and 48 have been cancelled from the application.

### ***Regarding Claim Objection***

Claim 48 is objected to under 37 CFR 1.75(c).

Claim 48 has been cancelled.

### ***Regarding 35 USC 103(a) Rejections***

Claims 6, 10, 12, 13, 15, 16, 19, 23, 24, 27, 28, 30, 31, 33, 35-37, 40, 44, 45, 47 and 48 are rejected as being unpatentable over Lubow et al (US Pub. No. 2006/0118631).

Lubow has a publication date of June 8, 2006, which is well after the filing date of the present application (April 2, 2004). Lubow is thus not available as prior art against the present application.

Of the rejected claims, Claims 6, 10, 12, 13, 16, 19, 23, 24, 30, 31, 37, 40, 44, 45, and 48 have been cancelled from the application.

Claim 15 has been amended to be dependent on independent claim 1 only, and also to more clearly define the invention.

The Examiner refers to paragraph [0086] of Lubow in support of the 35 USC 103(a) rejection of claim 15. Paragraph [0086] of Lubow teaches that more than one printer may be used so that printing can occur at multiple locations on the production line. Figs. 3(c)-3(f) illustrate how labels may have pre-printed portions, and portion printed during production.

Claim 15, as amended, defines that the data of each coded data portion is further indicative of the respective positions of the coded data portions on the interface surface.

Lubow fails to teach that the barcodes printed by the system of Lubow includes data of the position of that barcode. Lubow only teach that portions of the barcode may be printed by printers at different positions within the production line. Lubow thus fails to disclose the feature of claim 15. Lubow also fails to provide any motivation for encoding data in its barcodes that is indicative as to where the barcode is located on the product item.

Additionally, claim 1 to which claim 15 depends has been amended to include the feature that the product identity data is unique to each product item. Lubow discloses that the printed codes identify the product, a lot, batch, expiration date or commodity number. Product items sharing those components would share the same printed code. Each product item is thus not uniquely identified through its code. Lubow also fails to provide any motivation for encoding data unique to each product item.

Claim 15 is thus patentable because the limitation defined therein is not taught or suggested by Lubow, and also because of its dependency to claim 1 which includes features not taught or suggested by Lubow.

Independent claim 27, as amended, defines a printer for printing an interface surface associated with a product item. The printer is adapted to print a plurality of coded data portions on the interface surface. The data of each coded data portion is indicative of product identity data. The product identity data is indicative of an identity of the product item, such that the product item is distinguished from each other product item.

As set out above with regards to claim 15, Lubow fails to teach or suggest printing a code on multi data portions, with the code as printed on each portion is indicative of an identity of the product item, such that the product item is distinguished from each other product item. The code of Lubow is the same for all product items in the same batch.

Claim 27 is thus submitted to be patentable over Lubow.

Claims 28, 33 and 35 are dependent on claim 27, and are believed to be patentable of at least the reasons presented with regards to claim 27.

With regards to claim 36, Applicant's comments with regards to Claim 15 equally apply.

With regards to independent Claim 47, Applicant's comments with regards to independent Claim 27 equally apply.

In view of the foregoing, it is submitted that claims 15, 27, 28, 33, 35, 36 and 47 are patentable over Lubow.

Claims 1-3, 17 and 18 are rejected as being unpatentable over Kirkham (US Pub. No. 2002/0067267).

Claim 18 has been cancelled from the application.

Independent claim 1 has been amended to define a method of printing an interface surface associated with a product item. The method starts by determining product identity data, the product identity data being indicative of an identity of the product item such that the product item is distinguished from each other product item.

A printer is then controlled to thereby print a plurality of coded data portions on the interface surface. The data of each coded data portion is indicative of the product identity data.

The feature defining that the product identity data is indicative of an identity of the product item such that the product item is distinguished from each other product item was previously defined in now cancelled claim 18.

The Examiner refers to paragraph [0043] of Kirkham asserting that the feature of former claim 18 is taught therein. Paragraph [0043] of Kirkham only relates to identification information unique to the product, not that the data printed on each of a plurality of data portions each is uniquely identifies the product item as defined in claim 1. Kirkham also fails to provide any motivation for printing data on each product item that uniquely identifies that item, rather than just the batch.

Claims 2, 3, and 17 are dependent upon amended independent claim 1, which is believed to be allowable. It is therefore submitted that claims 2, 3 and 17 are also allowable.

Claims 4 and 5 are rejected as being unpatentable over Kirkham and further in view of Zhou et al (US 6,201,901).

Claim 5 has been cancelled.

Claim 4 is dependent upon amended independent claim 1, which is believed to be allowable. Claim 4 is therefore also believed to be allowable.

Claims 7-9, 32, 34, 38 and 39 are rejected as being unpatentable over Lubow in view of Kirkham.

Claims 7, 38 and 39 have been cancelled.

Claims 8, 9, 32 and 34 are dependent upon one of amended independent claims 1 and 27. As amended independent claims 1 and 27 are believed to be allowable, claims 8, 9, 32 and 34 are also believed to be allowable.

Claims 11, 21, 22, 29, 42 and 43 are rejected as being unpatentable over Lubow in view of Saito (US Pub. No. 2003/0201325).

Claims 21, 22, 42 and 43 have been cancelled.

Claims 11 and 29 are dependent upon one of amended independent claims 1 and 27. As amended independent claims 1 and 27 are believed to be allowable, claims 11 and 29 are also believed to be allowable.

Claims 14 and 26 are rejected as being unpatentable over Kirkham and further in view of Moylan et al (US 7,180,627).

Claim 26 has been cancelled.

Claim 14 is dependent upon amended independent claim 1, and is believed to be allowable for at least the reasons presented with regards to claim 1.

Claims 20 and 41 are rejected as being unpatentable over Lubow in view of Endoh (US 5,818,031).

Claims 20 and 41 are dependent upon amended independent claims 1 and 27 respectively, and are believed to be allowable for at least the reasons presented with regards to claims 1 and 27 respectively.

Claims 25 and 46 are rejected as being unpatentable over Lubow in view of Ramcke et al (US 5,834,530).

Claims 25 and 46 have been cancelled.

### CONCLUSION

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

Applicant/s:



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Kia Silverbrook



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Paul Lapstun

C/o:

Silverbrook Research Pty Ltd  
393 Darling Street  
Balmain NSW 2041, Australia

Email:

kia.silverbrook@silverbrookresearch.com

Telephone:

+612 9818 6633

Facsimile:

+61 2 9555 7762